

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

UNITED STATES OF AMERICA)
v.) NO. 12-CR-149-JL
DAVID M. KWIATKOWSKI,)
Defendant.)

PROTECTIVE ORDER REGARDING HEALTH INFORMATION

Having considered the government's assented-to motion for a protective order regarding health information, the Court grants the motion and enters this protective order regarding the use of health care information that the government provides to the defendant during the discovery process in the above-referenced case.

It is ordered that:

1. The United States may provide discovery materials to the defendant in an unredacted form that contains individually-identifiable information about individuals who are alleged to be victims in this matter or whose information is otherwise relevant to this matter.
2. Defense counsel, and other attorneys, paralegals, and staff assisting in the preparation of the defense may have access to these materials.
3. The defendant and his counsel will maintain the confidentiality of all health information, including identification information, related to any individuals whose records are provided to the defendant in discovery. The defendant, his counsel, and all individuals involved in the defense of this case shall not disclose these unredacted materials to anyone or use it for any purpose outside of this case.

4. To the extent that there is a need for the defendant's counsel to provide copies of these materials to other individuals in order to assist in the defense of this case or for the defendant to retain copies of any of these documents in his personal possession to assist with this defense, counsel for the defendant will ensure that all personal identifiers (including names, dates of birth, Social Security numbers, and Medicare numbers) are redacted from the materials.

5. Prior to any presentation of evidence in open court (in the form of testimony or otherwise) regarding health care information, the parties shall consult with each other and obtain prior approval of the Court so as to limit the unnecessary or inappropriate public exposure of private health care information. The procedures for the use of documents containing individually identifiable health information during any hearing or the trial of this matter shall be determined by the parties and the Court in advance of the hearing or trial.

Dated: December 11, 2012



Joseph N. Laplante
Chief United States District Judge